

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**Taneka Mcleod  
13047 229TH ST  
Laurelton, NY 11413**

**Jury Trial Demanded**

**Plaintiff,**

**v.**

**Gonzalez, J  
Kuo, MJ**

**Portfolio Recovery Associates, LLC  
120 Corporate Boulevard  
Norfolk, VA 23502  
Defendant,**

**Case No. 24-cv-04834-HG-PK**

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**COMPLAINT AND DEMAND FOR JURY**

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**I. INTRODUCTION**

1. This civil matter is for actual and statutory damages brought by Plaintiff Taneka Mcleod (hereinafter "Plaintiff") an individual consumer, against Defendant, Portfolio Recovery Associates, LLC (hereinafter "Defendant") for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 et seq. (hereinafter "FDCPA"), which prohibits debt collectors from engaging in unfair, abusive, deceptive collection practices.

**II. JURISDICTION AND VENUE**

2. The court has jurisdiction under 15 U.S.C § 1692k (d) and 28 U.S.C § 1331. Venue in this District is proper as the Defendant transacts business in New York.

**III. PARTIES**

3. Plaintiff is a natural person residing in the Eastern District of New York. Plaintiff is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. § 1692a (3).

4. Upon information and belief, Defendant's principal place of business is 120 Corporate Blvd Suite 100 Norfolk, VA 23502.

5. Defendant is engaged in the collection of debt from consumers using the mail and telephone. Defendant regularly attempts to collect consumers' debts alleged to be due to another. Defendant is a "debt collector" as defined by the FDCPA, 15 U.S.C 1692a (6).

#### **IV. FACTS OF THE COMPLAINT**

6. Defendant is attempting to collect an alleged debt that derived from a transaction in which the money, property, insurance, or services which are the subject of the transaction are primarily for personal, family, or household purposes.

7. On or around May 21, 2024, Plaintiff called defendant call center and disputed the alleged debt of \$781. Plaintiff was completely confused about the balance, Plaintiff told the representative the balance didn't seem accurate, this conversation was on a recorded line.

8. On or around May 21, 2024- July 8, 2024, (47 days) Plaintiff reviewed her Experian Equifax and Transunion consumer report and discovered defendant agents/employees furnished information to Experian monthly without notifying them the account was in fact disputed by Plaintiff violating 15 U.S.C 1692e (8). **See Exhibit A-C.**

9. Once Plaintiff disputed the debt, Defendant was required to mark the account as disputed if it chose to voluntarily report to the Credit Reporting Agencies, specifically Experian, Equifax, and Transunion.

10. The credit report was updated on June 28, 2024, on Equifax, Jun 05, 2024, on Experian, and June 28, 2024, on Transunion by Defendant.

11. The Updated June 05, 2024, and June 28, 2024, credit reports did not contain updated marked as disputed information.

12. Plaintiff suffered injury-in-fact by being subjected to inaccurate, unfair, and abusive practices of the defendant.

13. Defendant's actions have created an appreciable risk of harm to the underlying Concrete an interest that Congress sought to protect in creating the FDCPA.

**COUNT ONE**  
**FDCPA Violations of 15 U.S.C. §§ 1692e (8)**

14. Plaintiff re-alleges and reincorporates all previous paragraphs as if fully set out herein.

15. Section 1692e of the FDCPA prohibits debt collectors from using any false, deceptive, or misleading means to collect or attempt to collect a debt, including, but not limited to, communicating or threatening to communicate to any person credit information which is known, or which should be known to be false, including the failure To communicate that a disputed debt is disputed, see 15 U.S.C. § 1692e (8).

16. The FDCPA enumerates a non-exclusive list of deceptive practices, including, Inter alia, “the failure to communicate that a disputed debt is disputed” See 15 U.S.C. § 1692e (8).

17. Plaintiff disputed the account however, Defendant willfully and negligently failed to communicate to Experian, Equifax, and Transunion that the account was disputed.

18. Furthermore, this account information was furnished to other entities for the purpose of considering Plaintiff for credit which constituted a further communication of the debt that did not include the fact that the debt was disputed.

19. Defendant's reckless misconduct has deprived Plaintiff of her Federally protected rights.

20. Plaintiff has and continues to suffer actual damages as a result of the illegal debt collection communications by Defendant in the form of anxiety, decreased ability to focus on tasks while at work, mental and emotional distress that led to Plaintiff speaking with a Private Council.

21. Defendant’s violations of 15 U.S.C § 1692e (8) of the FDCPA render it liable for actual and statutory damages.

**COUNT TWO**  
**FDCPA Violation Of 15 U.S.C § 1692f**

22. Plaintiff re-alleges and reincorporate all previous paragraphs as if fully set out herein.

23. Section 1692f of the FDCPA prohibits a debt collector from using any unfair or unconscionable means to collect or attempt to collect a debt, see, 15 U.S.C. § 1692f.

24. Defendant, by continuing to report the debt to the credit reporting agencies, when it knew the debt was disputed by Plaintiff, and by failing to report that the debt was disputed, used unfair or unconscionable means to collect, or attempt to collect, debts, in violation of 15 U.S.C. § 1692f of the FDCPA.

25. Plaintiff has and continues to suffer actual damages as a result of the illegal debt collection communications by Defendant in the form of anxiety, decreased ability to focus on tasks while at work, mental and emotional distress that led to Plaintiff speaking with a spiritual leader and his cost and time of repairing his Credit report.

26. Defendant's violations of § 1692f of the FDCPA render it liable for actual and statutory damages see, 15 U.S.C. § 1692k.

### **JURY DEMAND AND PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against Defendant for:

- A. Judgment for the violations occurred for violating the FDCPA; B. Actual damages;
- C. Statutory damages;
- D. For such other and further relief as the Court may deem just and proper.

Dated: July 8, 2024

07/11/24-

Respectfully Submitted

/s/ Taneka Mcleod  
13047 229TH ST  
Laurelton, NY 11413

Email:tanekamc777@gmail.com

Mcleod



**PORTFOLIO RECOV ASSOC**

**\$781**

Original creditor: **SYNCHRONY BANK**

# Exhibit A

<b>Account info</b>			
Account name	<b>PORTFOLIO RECOV ASSOC</b>	Balance	<b>\$781</b>
Account number	<b>604578XXXXXXXXXX</b>	Balance updated	<b>Jun 05, 2024</b>
Original creditor	<b>SYNCHRONY BANK</b>	Original balance	<b>\$781</b>
Company sold	-	Monthly payment	-
Account type	<b>Debt Buyer</b>	Past due amount	<b>\$781</b>
Date opened	<b>Dec 09, 2023</b>	Terms	<b>1 Month</b>
Status	<b>Collection account. \$781 past due as of Jun 2024.</b>	Responsibility	<b>Individual</b>
Status updated	<b>Dec 2023</b>	Your statement	-

**Payment history**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2024	-	-	-	<b>C</b>	<b>C</b>	<b>C</b>	-	-	-	-	-	-

C Collection      - Data Unavailable

**Contact info**

Address	<b>120 CORPORATE DRIVE NORFOLK, VA 23513</b>
Phone number	<b>(757) 519-9300</b>

**Comments**

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## CREDIT REPORT

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TANEKA MCLEOD

**Report Confirmation**

4685484817



Dear TANEKA MCLEOD:

Thank you for requesting your Equifax credit report. Your credit report contains information received primarily from companies which have granted you credit. Great care has been taken to report this information correctly. Please help us in achieving even greater accuracy by reviewing all of the enclosed material carefully.

If there are items you believe to be incorrect, you may

- Initiate an investigation request via the Internet 24 hours a day, 7 days a week at:  
**<https://www.equifax.com/personal/credit-report-services/credit-dispute/>**
- Please mail the dispute information to:  
**Equifax Information Services LLC**  
**P.O. Box 740241**  
**Atlanta, GA 30374**
- Call us at **866-349-5186**

Please note, when you provide documents, including a letter, to Equifax as part of your dispute, the documents may be submitted to one or more companies whose information are the subject of your dispute.

You have the right to request and obtain a copy of your credit score. To obtain a copy of your credit score, please call our automated ordering system at: **1-877-SCORE-11**.

# 5. Other Accounts

Other accounts are those that are not already identified as Revolving, Mortgage or Installment Accounts such as child support obligations or rental agreements.

## 5.1 PORTFOLIO RECOVERY ASSOC (CLOSED)

### Summary

Your debt-to-credit ratio represents the amount of credit you're using and generally makes up a percentage of your credit score. It's calculated by dividing an account's reported balance by its credit limit.

Account Number	xxxxxxxxxxxxxx 5432	Reported Balance	\$781
Account Status	COLLECTION	Available Credit	

### Account History

The tables below show up to 3 years of the monthly balance, available credit, scheduled payment, date of last payment, high credit, credit limit, amount past due, activity designator, and comments.

#### Balance

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2022												
2023												
2024			\$781	\$781	\$781	\$781						

#### Available Credit

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2022												
2023												
2024												

#### Scheduled Payment

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2022												
2023												
2024												



# Exhibit B

Date	Comment
04/2024	Collection account
05/2024	Collection account
06/2024	Collection account

## Payment History

You currently do not have any Payment History in your file.

## Account Details

View detailed information about this account. Contact the creditor or lender if you have any questions about it.

High Credit	\$781	Payment Responsibility	INDIVIDUAL
Credit Limit		Account Type	OTHER
Terms Frequency	UNKNOWN	Term Duration	
Balance	\$781	Date Opened	Dec 09, 2023
Amount Past Due	\$781	Date Reported	Jun 28, 2024
Actual Payment Amount		Date of Last Payment	
Date of Last Activity		Scheduled Payment Amount	
Months Reviewed	3	Delinquency First Reported	Mar 2024
Activity Designator		Creditor Classification	BANKING
Deferred Payment Start Date		Charge Off Amount	
Balloon Payment Date		Balloon Payment Amount	
Loan Type	Debt Buyer Account	Date Closed	
Date of First Delinquency	Apr 2023		

## Comments

Collection account

## Contact

PORTFOLIO RECOVERY ASSOC  
Riverside Commerce Center  
Norfolk, VA 23502-4962  
(800) 772-1413

# 7. Personal Information

Creditors use your personal information primarily to identify you. This information has no impact on your credit score.

## Identification

Identification is the information in your credit file that indicates your current identification as reported to Equifax. It does not affect your credit score or rating.

Name	TANEKA MCLEOD
Formerly known as	TANEKA D MCLEOD MCCLEAR TANEKA D MCLEOD
Social Security Number	xxxxx 0431
Age or Date of Birth	Aug 18, 1980

## Other Identification

You currently do not have any Other Identifications in your file.

## Alert Contact Information

You currently do not have any Alert Contacts in your file.

## Contact Information

Contact information is the information in your credit file that indicates your former and current addresses as reported to Equifax. It does not affect your credit score or rating.

Address	Status	Date Reported
13047 229TH ST LAURELTON, NY 11413	Current	Jul 03, 2024
12802 SUTTER AVE APT 1R SOUTH OZONE PARK, NY 11420	Former	Jun 13, 2022
21 NORTON ST ROCHESTER, NY 14621	Former	Jun 27, 2024
10323 AVENUE J FL 1 BROOKLYN, NY 11236	Former	Oct 23, 2023
11743 164TH ST FL 1 JAMAICA, NY 11434	Former	Oct 03, 2019

## Employment History

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

PORTFOLIO RECOVERY 604578119469\*\*\*\*

## Exhibit C

### Account Information

Address	120 CORPORATE BLVD,SUITE 100 NORFOLK, VA 23502
Phone	(844) 675-3407
Date Opened	12/09/2023
Responsibility	Individual Account
Account Type	Open Account
Loan Type	FACTORING COMPANY ACCOUNT
Balance	\$781
Date Updated	06/28/2024

High Balance

\$781

Original Creditor

SYNCHRONY BANK

Past Due

\$781

Pay Status

>Collection<

Estimated month and year this item will be removed

03/2030

Remarks

>PLACED FOR COLLECTION<

[REDACTED]

[REDACTED]

[REDACTED]

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